



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,097	02/18/2004	Jason Mathew Banowetz	9599-59US	3369
570	7590	07/05/2006	EXAMINER	
AKIN GUMP STRAUSS HAUER & FELD L.L.P. ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200 PHILADELPHIA, PA 19103			TORRES, ALICIA M	
			ART UNIT	PAPER NUMBER
			3671	

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	10/781,097	BANOWETZ ET AL.	
	Examiner Alicia M. Torres	Art Unit 3671	

All participants (applicant, applicant's representative, PTO personnel):

(1) Alicia M. Torres. (3) _____.

(2) Martin Belisario. (4) _____.

Date of Interview: 27 June 2006.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: 1 and 3.

Identification of prior art discussed: Basslin.

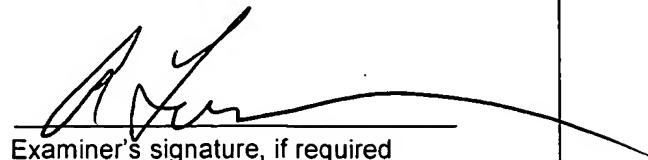
Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant submitted proposed amendments. The examiner suggested that Basslin reads on proposed claim 1 and would be applied in a 35 USC 102(b) rejection if applicant should choose to officially submit the proposed amendments.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Application No. 10/781,097
Reply to Office Action of March 3, 2006

PROPOSED AMENDED CLAIMS – US PATENT APPLICATION NO. 10/781,097

Below is a set of Proposed Amended Claims for U.S. Patent Application No. 10/781,097 in response to a final Office Action, dated March 3, 2006, wherein underlining indicates additions and double brackets indicate deletions. Applicant proposes to add the subject matter of claims 2 and 3 to independent claim 1, as follows:

1. (Currently amended) An apparatus for processing lawn and garden organic debris comprising:

a fan housing having a wall with an opening for allowing air to pass therethrough, at least one protrusion extends outwardly from the wall;

a retainer plate surrounding a portion of the opening and coupled to the wall, the retainer plate being spaced from the wall to define a slot between the wall and the retainer plate;

at least first and second connectors extending outwardly from the wall, the at least first and second connectors and at least one protrusion circumscribing a perimeter, wherein the retainer plate is coupled to the wall by the at least first and second connectors; and

a hose having a nozzle at a first end and a flange at a second end, the flange being releasably positionable in the slot such that the opening and hose are in fluid communication and being rotatable with respect to the fan housing while coupled to the wall by the at least first and second connectors.

2. (Cancelled)

3. (Cancelled)

4. (Original) The apparatus of claim 1 wherein the retainer plate has a semi-circular shape.

5. (Original) The apparatus of claim 4 wherein the flange has a circular shape.

6. (Original) The apparatus of claim 1 wherein the connectors are a combination of threaded studs and threaded retainers.

7. (Previously presented) The apparatus of claim 6 wherein the threaded retainers are wing nuts.

8. (Previously presented) The apparatus of claim 6 wherein the threaded retainers are threaded hand knobs.

9. (Previously presented) The apparatus of claim 2 wherein the protrusion is a pin.

10. (Previously presented) The apparatus of claim 2 further comprising a third connector disposed along the perimeter, intermediate the first and second connectors and positioned generally opposite the at least one protrusion.

11. (Original) The apparatus of claim 1 further comprising a safety interlock switch disposed on the fan housing wall, the safety switch being actuated when the flange is in the slot to allow the apparatus to be operational.

12. (Original) The apparatus of claim 1 further comprising:

a fan assembly mounted for rotation within the fan housing, including a fan impeller having a plurality of fan blades;

each of the plurality of fan blades having a base portion and a tip portion; the base portions extending generally radially from an axis of rotation of the fan impeller; and

the tip portions being inclined relative to the base portions in a direction opposite a direction of rotation of the fan impeller.

13. (Original) The apparatus of claim 12 wherein the tip portion is inclined relative to the base portion at an angle between 50 and 80 degrees.

14. (Previously presented) The apparatus of claim 1 further comprising:
a fan assembly mounted for rotation within the fan housing, including a
fan impeller having a plurality of fan blades, and
a plurality of shredding blades connected to and projecting forwardly from
the fan impeller toward an inlet defined by the opening in the fan housing wall.

15. (Original) The apparatus of claim 14 wherein each of the plurality of shredding
blades includes a tip portion having two intersecting angled edges.

PTO-415A (09-04)
Approved for use through 07/31/2016, OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/781,097 First Named Applicant: Jason Matthew Banowetz
Examiner: Alicia M. Torres Art Unit: 3671 Status of Application: Pending

Tentative Participants:

(1) Alicia M. Torres (2) Thomas B. Will
(3) Martin G. Belisario (4) _____

Proposed Date of Interview: June 27, 2006 Proposed Time: 2:00 (AM/PM)

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: YES NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>claim 1</u>	<u>Haughey</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>claim 1</u>	<u>Basin</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[] Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

Proposed amendment of claim 1 to incorporate claim 3 language that the flange is rotatable with respect to the fan housing while coupled to the wall by the at least first and second connectors, which neither Haughey nor Basin disclose. Please see attached proposed Amendment.

An interview was conducted on the above-identified application on October 27, 2005.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Dennis J. Bonta Reg 451,519
Applicant/Representative Signature

Examiner/SPE Signature

Martin Belisario
Typed/Printed Name of Applicant or Representative
32,886

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 24 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, TO THIS ADDRESS: SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**AKIN GUMP
STRAUSS HAUER & FELD LLP**
 Attorneys at Law

CERTIFICATE OF FACSIMILE TRANSMISSION

June 20, 2006

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature:



Name of Person Signing Certificate: Catherine M. Bonner

Date 6/20/06

To	Company	Fax	Phone
Alicia M. Torres	Group Art Unit 3671 USPTO	571.273.8300	
RIGHT FAX		571.273.6997	

From:	Martin Belisario
Total Pages:	<u>5</u>
Direct Dial:	215.965.1303
Re:	U.S. Patent Application No. 10/781,097 of Banowetz, <i>et al.</i> Entitled: "Apparatus for Processing of Organic Material."
Title of Paper(s) being sent	Applicant Initiated Interview Request Form

Message: In accordance with our earlier telephone conversation, attached is Form PTOL-413A (Applicant Initiated Interview Request Form) for U.S. Patent Application No. 10/781,097.

Thank you for your attention to this matter.

Sincerely,

Martin Belisario

Reg. #: 32,886

490015.0011

Sender's email: mbelisario@akingump.com

Sender's fax: 215.965.1210

Floor: 22

Secretary: Catherine

Ext: 21261

Return fax via Interoffice Mail

Hold fax for pickup

Facsimile Verification:

The information contained in this facsimile message is attorney-client privileged and confidential, and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us by mail at the address below.

One Commerce Square / 2005 Market Street, Suite 2200 / Philadelphia, Pennsylvania 19103-7019 / 215.965.1200 / fax 215.965.1210 / akingump.com